

April 20, 2005

James B. King, Esq.
Keefe King & Bowman, PS
601 West Main, Suite 1102
Spokane, WA 99201-0625

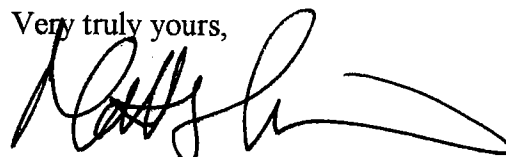
VIA FACSIMILE

Subject: Zlotnick v. Workland & Witherspoon, et al.

Dear Mr. King:

Plaintiff served your clients with written discovery requests on January 26, 2005. Your responses were due in late February and you never requested an extension from the plaintiff. It is now almost three months after the discovery was served and we still do not have your clients' responses. During our telephonic Rule 37 conference on March 30, 2005, you promised to provide your clients' responses prior to the hearing on your motion to continue the trial date, which occurred on April 5, 2005. I sent you a letter confirming that agreement on April 1, 2005. We did not receive the discovery as promised by the April 5 deadline. On that same day, you left me a voice mail message inquiring about a privilege issue, and I returned your call but I have not heard from you since. Earlier this week, I attempted to contact you again via telephone to discuss your clients' continuing delays in this matter but I have not received the courtesy of a return call from you. Accordingly, please be advised that the plaintiff will file a motion to compel with the court on this Friday, April 22, 2005, if we do not receive the discovery responses by close of business tomorrow, April 23. If a motion to compel is required, we will aggressively seek recovery of our costs as provided by Rule 37.

Very truly yours,



Matthew J. Macario

MJM:mjm

cc: Al Zlotnick
James B. Stoetzer
Brian Meenaghan

119488.0001/1193435.1

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DATE April 20, 2005
TIME

CLIENT NUMBER 1193435.1
OPERATOR

TO James B. King, Esq.
Keefe King & Bowman PS
(509) 623-1380

FROM Matthew J. Macario

SUBJECT Zlotnick v. Workland & Witherspoon, et al.

Original Document to be sent: ☐ Yes ☒ No

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A.D.

COMMENTS

Please see attached.

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